

IN THE WATER COURT OF THE STATE OF MONTANA
LOWER MISSOURI DIVISION
MUSSELSHELL RIVER ABOVE ROUNDUP BASIN (40A)
PRELIMINARY DECREE

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CLAIMANT: George L. Cremer; Leo J. Cremer Jr.

OBJECTOR: Cremer Rodeo Land & Livestock Co.

CASE 40A-0176-R-2022

40A 179849-00

40A 187798-00

NOTICE OF FILING OF MASTER'S REPORT

This Master's Report was filed with the Montana Water Court on the above stamped date. Please review this report carefully.

You may file a written objection to this Master's Report within **10 days** of the stamped date if you disagree or find errors with the Master's findings of fact, conclusions of law, or recommendations. Rule 23, W.R.Adj.R. If the Master's Report was mailed to you, the Montana Rules of Civil Procedure allow an additional 3 days be added to the 10-day objection period. Rule 6(d), M.R.Civ.P. If you file an objection, you must serve a copy of the objection to all parties on the service list found at the end of the Master's Report. The original objection and a certificate of mailing to all parties on the service list must be filed with the Water Court.

If you do not file a timely objection, the Water Court will conclude that you agree with the content of this Master's Report.

MASTER'S REPORT

Claims 40A 179849-00 and 40A 187798-00 claims appeared in the Preliminary Decree for the Musselshell River above Roundup (Basin 40A) issued on June 7, 2017.

The claims are co-owned by George Cremer and Leo Cremer Jr. The claims received the objections from Cremer Rodeo Land & Livestock Co.

FINDING OF FACT

1. On March 23, 2023, Objector withdrew the objections to claims 40A 179849-00 and 40A 187798-00.

CONCLUSION OF LAW

1. Cremer Rodeo's objections to claims 40A 179849-00 and 40A 187798-00 should be dismissed. The elements of the claims 40A 179849-00 and 40A 187798-00 should remain as they appeared in the Basin 40A Preliminary Decree.

RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this Master recommends that the Court dismiss Cremer Rodeo's objections to claims 40A 179849-00 and 40A 187798-00.

A post decree abstract of each water right claim is attached to this Report.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via USPS Mail

George L. Cremer
PO Box 276
Melville, MT 59055

Leo J. Cremer Jr.
241 S. Frontage Road
Big Timber, MT 59011

Potential Owner:

Ronda C. Johnston
PO Box 276
Melville, MT 59055-0276

Service Via Electronic Mail:

Colleen Coyle
Coyle Law Firm
141 Discovery Drive, Suite 215
Bozeman, MT 59771
(406) 570-2740
colleen@coylelawmt.com

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POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MUSSELSHELL RIVER, ABOVE ROUNDUP
BASIN 40A

Water Right Number: 40A 179849-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GEORGE L CREMER
PO BOX 276
MELVILLE, MT 59055 0276

LEO J CREMER JR
241 S. FRONTAGE ROAD
BIG TIMBER, MT 59011 8030

Priority Date: DECEMBER 31, 1938

Type of Historical Right: FILED

Purpose (use): STOCK

Flow Rate: 25.00 GPM

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESW	8	3N	18E	SWEET GRASS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSESW	8	3N	18E	SWEET GRASS

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

179849-00 187796-00

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MUSSELSHELL RIVER, ABOVE ROUNDUP
BASIN 40A

Water Right Number: 40A 187798-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GEORGE L CREMER
PO BOX 276
MELVILLE, MT 59055 0276

LEO J CREMER JR
241 S. FRONTAGE ROAD
BIG TIMBER, MT 59011 8030

Priority Date: DECEMBER 31, 1914

Type of Historical Right: FILED

Purpose (use): DOMESTIC

Flow Rate: 15.00 GPM

Volume: 5.00 AC-FT

Households: 1

Maximum Acres: 2.00

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWNW	14	4N	16E	SWEET GRASS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		SENWNW	14	4N	16E	SWEET GRASS

Total: 2.00

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

179880-00 187798-00